

Translation

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PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference NFF-0310	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/008346	International filing date (day/month/year) 01 July 2003 (01.07.2003)	Priority date (day/month/year) 26 September 2002 (26.09.2002)
International Patent Classification (IPC) or national classification and IPC F16C 11/04, 11/10, E05F 11/08, H04M 1/02, H05K 5/03		
Applicant NIFCO INC.		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 4 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☒ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 26 April 2004 (26.04.2004)	Date of completion of this report 12 January 2005 (12.01.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/008346

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1-23 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____ 2-5,9-16,18-21,23,25,26 _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ 1,7,8,22 _____ received by this Authority on 27 September 2004 (27.09.2004)
- pages* _____ received by this Authority on _____
- ☒ the drawings:
- pages _____ 1-17 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☒ the claims, Nos. _____ 6,17,24 _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5, 7-16, 18-23, 25, 26	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-5, 7-16, 18-23, 25, 26	NO
Industrial applicability (IA)	Claims	1-5, 7-16, 18-23, 25, 26	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: US, 2001/19946, A1 (Sanyo Electric Co., Ltd.), 6 September, 2001 (06.09.01), full text, Figs. 1-16
 Document 2: JP, 2000-161336, A (Masashi Iino), 13 June, 2000 (13.06.00), paragraph [0020]
 Document 3: JP, 7-54895, A (Kitagawa Industries Co., Ltd.), 28 February, 1995 (28.02.95), paragraphs [0007] and [0017]-[0022]

The subject matters of claims 1-4, 7-15, 18-23, 25 and 26 do not appear to involve an inventive step in view of document 1 (full text, Figs. 1-16) cited in the ISR and newly cited document 3 (paragraphs [0007] and [0017]-[0022]).

Document 1 describes (1) an electronic apparatus comprising (a) a support shaft portion, (b) a biasing mechanism and (c) a damper mechanism that does not actuate braking while a cover body is opened up to a predetermined angle from its closed position and actuates the braking for slowing to stop the opening action of the cover body while the cover body is opened beyond the predetermined angle, and (2) an opening/closing mechanism of the electronic apparatus.

Document 3 describes a damper mechanism having an engaging mechanism comprising a shaft (intermediate cylindrical oscillating shaft 11) that is not interlocked with a main body 7 (outside cylindrical oscillating shaft) while the main body 7 is kept within a predetermined angle, and is interlocked with the main body 7 while the main body 7 goes beyond the predetermined angle. The document further describes a constitution in which the main body 7 (outside cylindrical oscillating shaft) can also oscillate.

A person skilled in the art could have easily used the damper mechanism having an engaging mechanism comprising a shaft that is not interlocked with a main body while the main body is kept within a predetermined angle, and is interlocked with the main body while the main body goes beyond the predetermined angle, described in document 3, instead of the damper mechanism shown in Fig. 12 of document 1, in the electronic apparatus or in the opening/closing mechanism of the electronic apparatus respectively described in document 1.

The subject matters of claims 5 and 16 do not appear to involve an inventive step in view of documents 1 and 3 and document 2 (paragraph [0020]) cited in the ISR.

Document 2 describes a constitution in which a biasing mechanism and a damper mechanism are installed on respectively different support shaft portions, and a person skilled in the art could have easily installed a biasing mechanism and a damper mechanism on respectively different support shaft portions, in the electronic apparatus or in the opening/closing mechanism of the electronic apparatus respectively described in document 1 or 3.

Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2003-65320 A [E, X]	05.03.2003	29.08.2001	

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)